REMARKS

This Amendment is being filed in response to the Office Action mailed July 9, 2006 which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1-11 and 13-22 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', changing "characterized in that" to --wherein--, and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Claims 1-11 and 13-22 were not amended in order to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

In the Office Action, claim 22 is rejected under 35 U.S.C.

§101 as allegedly directed to non-statutory subject matter.

Without agreeing with the Examiner, and in the interest of

furthering the prosecution and expediting allowance of the present

Application, claim 22 has been amended for better form that more

clearly recites statutory subject matter. It is respectfully

requested that the rejection of claim 22 under 35 U.S.C. §101 has

been overcome and withdrawal of this rejection is respectfully

requested.

In the Office Action, claims 1-6, 9-16 and 18-21 are rejected

under 35 U.S.C. §102(b) as allegedly anticipated by PCT Publication

No. WO 99/25107 (Frank). Further, claims 7-8 and 17 are rejected

under 35 U.S.C. §103(a) as allegedly unpatentable over Frank in

view of U.S. Patent Application Publication No. 2003/0104808 (which

appears to be incorrectly referred to as 2002/0136231) (Foschini).

It is respectfully submitted that claims 1-22 are patentable over

Frank and Foschini for at least the following reasons.

In the paragraph spanning pages 5-6 of the Office Action, in

rejecting claim 12, it is alleged that page 3, lines 21-30 and page

6, lines 15-24 of Frank discloses making a human perceptual signal

more or less noticeable depending on whether it is generated on a

near or far device.

It is respectfully submitted that the noted sections of Frank

do not teach or suggest the present invention as recited in

independent claim 1, and similarly recited in independent claims 9

and 19-22 which, amongst other patentable features, requires

(illustrative emphasis provided):

> wherein the control unit is configured to
> instruct the output means to make a received
> human perceptual signal <u>more noticeable if it is</u>
> <u>received from a nearby</u> further electronic device
> and <u>less noticeable if it is received from a</u>
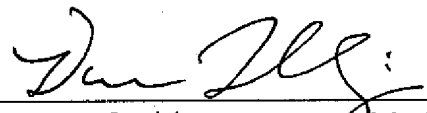> <u>remote</u> further electronic device.

Foschini is cited to allegedly show other features and does

not remedy the deficiencies in Frank. Accordingly, it is

respectfully submitted that independent claims 1, 9 and 19-22

should be allowable. In additions, claims 2-8, 10-11 and 13-18

should be allowable at least based on their dependence from

independent claims 1 and 9.

In addition, Applicants deny any statement, position or

averment of the Examiner that is not specifically addressed by the

foregoing argument and response. Any rejections and/or points of

argument not addressed would appear to be moot in view of the

presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: New Abstract

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